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ATTORNEY DOCKET NO. 10010937-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Thomas W Stone, et al.

Serial No.: 10/720816

Examiner: Chiem, Dinh D

Filing Date: November 24, 2003

Group Art Unit: 2883

Title: Variable Optical Attenuator Systems

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 7/28/2005, rejecting the following claims

The fee for this Notice of Appeal (37 CFR 1.17(b)) is \$340.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

| | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | one month | \$ 110.00 |
| <input type="checkbox"/> | two months | \$ 430.00 |
| <input type="checkbox"/> | three months | \$ 980.00 |
| <input type="checkbox"/> | four months | \$1530.00 |

☐ The extension fee has already been filled in this application.

☐ (b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 50-1078 the sum of \$340.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

☐ I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit:

OR

☒ I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Date of Facsimile: August 5, 2005

Typed Name: Ann Marie Radcliffe

Signature:



Respectfully submitted,

Thomas W Stone, et al.

By



Pamela Lau Kee
Attorney/Agent for Applicant(s)

Reg. No. 36,184

Date: August 5, 2005

Telephone No. 408 553 3059

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Rev 10/04 (Notice of Appeal)